



ALABAMA DEPARTMENT OF TRANSPORTATION

Bureau of County Transportation

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Bob Riley
Governor

Joe McInnes
Transportation Director

March 2, 2006

MEMORANDUM NO. 2006-11

TO: ALL COUNTY ENGINEERS AND
DIVISION COUNTY TRANSPORTATION ENGINEERS

FROM: 
JOHN F. COURSON
COUNTY TRANSPORTATION ENGINEER

RE: ALDOT'S PROCEDURE FOR SELECTION OF
ARCHITECT AND/OR ENGINEERING SERVICES

Section IX of the subject revised procedure deals with "Selection Procedures for Cities and Counties". Section X "Alternate Selection Procedures for Cities and Counties" allows the use of our "on-call" consultants by the cities and counties. I am attaching a copy of these sections since there were some changes made in January of this year.

The primary changes require that the city or county must make a written request to the Director to use one of our on-call consultants, the negotiated fee must be submitted to the Director for approval and the signed agreement between the city/county and the consultant must be transmitted to the Division.

This memo is intended to supplement and clarify Memorandum No. 2006-02. If you have any questions, please feel free to call.

JFC:at

Attachment

CC: Mr. D. W. Vaughn
Mr. Gary Moore
File

agreement will become null and void upon execution of the final agreement with the consultant. If an acceptable fee cannot be negotiated with a consultant, all work will be terminated and the consultant will be paid for work performed from the cost-plus agreement using project funds.

2. In the interest of time, the last approved audited overhead rate may be used in the initial and the final agreement until the consultant audit can be completed. The final agreement will contain an article providing that the assumed audit rate shall be adjusted upon completion of the consultant audit, and an adjustment in fee will be made according to audit figures.
3. Consultant negotiations, under the direction of Central Office personnel, may involve the personnel in the Division in which the project is located if the work load in the Central Office increases to the point that efficient and timely negotiations cannot be conducted.
4. Consultant supervision may also become the primary responsibility of Division personnel.

IX. Selection Procedures for Cities and Counties

A. Consultant Selection

Cities and counties shall do the following:

1. Request written permission from the Alabama Department of Transportation Director to select a consultant for performing work on projects for which federal or state funds are involved.

2. Notify by mail firms that have expressed interest in providing the services contemplated or advertise one time in a state newspaper of general circulation. The purpose of this notice will be to determine any firm's interest. If newspaper advertisement is used, it will be an abbreviated format. A minimum of two weeks from date of notice (publication and/or letter) will be allowed for the firms to express interest or no interest.
3. Make consultant selection based on qualifications provided by the firms expressing interest as a result of the notification of need for services. Any firm selected shall be on the Department's listing of pre-qualified firms interested in providing services.
4. Upon selection of a consulting firm, will notify the Department in writing of the selection, including the qualifications-based reasons for selecting the firm, and request the Department's approval and concurrence.

B. Negotiation with Firms

1. Approval by the Department will constitute authorization for the city or county under whose responsibility work will be performed to proceed with negotiation with the firm relative to understanding the scope of work and fee deemed fair and just compensation for the work.
2. The negotiated fee shall be submitted to the Department for concurrence. If the Department does not concur in the fee, it shall issue appropriate written instructions.

C. Monitoring Work in Progress

The Division in which the work is performed will be responsible for supervision in order to have the consultant comply with all appropriate state and federal regulations.

X. Alternate Selection Procedures for Cities and Counties

A. Consultant Selection

1. Cities and counties may request written permission from the Alabama Department of Transportation (ALDOT) Director to select a consultant for performing work on projects for which federal and/or state funds are involved.
2. ALDOT will transmit a list of currently active “on-call” consultants to the city/county. Upon receiving the list of consultants, the city/county will select one of the consultants listed and then enter into negotiations with the selected firm.
3. The terms of the agreement between the city/county and the consultant shall be the same as in the “on-call” agreement between ALDOT and the consultant. The fees to be used in the city/county agreement with the consultant will be the same fees as previously approved by ALDOT’s Finance Bureau – External Audit Section for use in the “on-call” agreement with ALDOT.
4. The negotiated fee shall be submitted to the Department for concurrence. If the Department does not concur with the fee, it shall issue appropriate written instructions.

5. A copy of the signed agreement between the city/county and the consultant will be transmitted to the appropriate Division office.

B. Monitoring Work in Progress

The Division in which the work is performed will be responsible for supervision in order to have the consultant comply with all appropriate state and federal regulations.

- XI. The Division Administrator, Federal Highway Administration, may attend any meetings relative to the processes defined above where projects involve federal-aid highway funds.
- XII. A final performance evaluation report shall be prepared by the public employee in responsible charge of the contract and shall be submitted to the Chief Engineer. The report should include, but not be limited to, an evaluation of such items as timely completion of work, conformance with contract costs and the quality of work. A copy of the report shall be sent to the firm for its review and/or comments and any written comments submitted to the contracting agency by the firm shall be attached to the final report.
- XIII. The procedure is designed to comply with 23 CFR 172.